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HRD POLICY AND STANDARD OPERATING PROCEDURE

SUBJECT: To establish guidelines relative to providing for a Hazardous Pay differential for employees of the Guam Behavioral Health & Wellness Center

EFFECTIVE DATE: October 1, 2015 (Public Law 33-16)
Policy Amendment Effective September 17, 2021

INQUIRIES: Human Resources Division, Classification and Pay

- I. **STATEMENT OF POLICY:** It is the policy of the Director of Administration to ensure hazard compensation is provided to the employees of the Guam Behavioral Health and Wellness Center (GBH&WC) working in what are deemed unsafe or dangerous hazard duty working conditions in close proximity with mentally ill; or emotionally disturbed; and psychotic substance use disorder patients who are unpredictable, combative or volatile.
- II. **STATEMENT OF PRACTICE:** Due diligence will be taken by appointing authorities to identify and ensure all policies governing hazardous pay are properly met.
- III. **REFERENCES:** Public Law 28-68 effectuated the Legislative policy transferring certain authority and functions of the Civil Service Commission to the Department of Administration; among which are the duties and responsibilities governing the management and administration of the hazardous and/or certification pay differentials.
- IV. **APPLICABILITY:** All supervisors, payroll personnel and/or all Payroll Technicians assigned to the Payroll Branch of the Department of Administration.
- V. **PURPOSE:** The purpose of this Standard Operating Procedure (SOP) is to establish policies and procedures to standardize the method of payment for requests of hazardous pay for employees identified to be entitled to such pay.
- VI. **BACKGROUND:** On April 2, 2015, Public Law 33-16 was enacted to provide for a hazardous pay differential for employees of the GBH&WC who are exposed to unsafe or dangerous duty working conditions. The law recognized the need for compensation for those who may come into contact or placed in close proximity with the mentally ill or emotionally disturbed or psychotic substance

use disorder patients who are unpredictable, combative or volatile with a ten percent (10%) hazardous pay differential.

With input from the Director of the GBH&WC, the Hazardous Pay Differential Standard Operating Procedures for GBH&WC employees was implemented in 2016. However, throughout its implementation, certain challenges were encountered and employees have found them to be more complex than necessary.

As a result, discussions were held beginning April 19, 2021, between the Directors of DOA and GBH&WC in order to streamline the hazardous pay process. The Director of GBH&WC recommended that hazardous pay should be implemented for those employed with the agency based on a three (3) tier classification structure, taking into consideration job function as well as geographic location. The three (3) tier structure will determine an employee's general exposure to hazardous conditions. The three (3) tier classification structure is described in detail as Attachment "A" to this SOP.

VII. SCOPE: This SOP shall apply to all classified and/or unclassified positions of the GBH&WC. The hazardous pay differential covered in this Policy, in conformance with Public Law 33-16, shall be at the rate of ten percent (10%) of each employee's base pay according to the three (3) tier classification structure as described in Attachment "A".

VIII. PROCEDURE: DOA and GBH&WC timekeepers will follow the procedures for each tier identified below:

Tier 1: For employees who fall within this tier, DOA will require the GBH&WC to prepare and maintain on file, supporting documents validating the hazardous pay differential. In the event of any and all payroll audits regarding the differential, the audits will be directed to GBH&WC for details and justification. DOA Payroll will assign a pay code specific for GBH&WC Tier 1 hazard pay to be added onto the agency's timesheet.

Tier 2: For employees who fall within this tier, DOA will require the GBH&WC to prepare and maintain on file, supporting documents validating the employees exposed to a hazardous working environment only while providing direct services (face-to-face). In the event of any and all payroll audits regarding the differential, the audits will be directed to GBH&WC for details and justification. DOA Payroll will assign a pay code specific for GBH&WC Tier 2 hazard pay to be added onto the agency's timesheet.

Tier 3: For employees who fall within this tier, DOA will require the GBH&WC to maintain on file, documents such as incident reports for employees not regularly working under hazardous conditions that *may* be incidentally exposed, identifying the type of hazardous exposure, length of time exposed and the location of exposure. In the event of any and all payroll audits regarding the differential, the audits will be directed to GBH&WC for details and justification. DOA Payroll will assign a pay code specific for GBH&WC Tier 3 hazard pay to be added onto the agency's timesheet.

NOTE: Payment of the ten percent (10%) hazardous pay differential will be subject to availability of funding.

IX. RESPONSIBILITIES:

Department/Agency Authorized Staff – Will ensure that these policies and procedures are applied accordingly to all employees of the GBH&WC.

X. CHANGE(S): Changes to this Policy may be made by mutual agreement of the Directors of Administration and GBH&WC; and in accordance with Public Law 33-16.

XI. EFFECTIVE DATE: October 1, 2015 (Public Law 33-16). Policy amendment date effective 9/17/21.



THERESA C. ARRIOLA, Director
Guam Behavioral Health & Wellness Center

Date: 9/17/21



EDWARD M. BIRN, Director
Department of Administration

Date: September 13, 2021

Attachment A

The following 3-tier classification structure will serve as the guideline by which employees of Guam Behavioral Health and Wellness Center (GBHWC) shall be entitled to 10% hazardous differential pay:

Tier 1 - GBHWC employees exposed to a hazardous working environment 100% of the time:

Job Function/Geographic Location: staff working with consumers in any of the Inpatient Units (AIU/CIU/WARRIOR/3.7 Detox); Residential Recovery Program Homes (Asusena, Pahong, Serenidad, SERENITY); Conducting (Face to Face) Screening and/or Intake; Guarding and maintaining security in all areas in and out of the facility; staff working at the Department of Corrections (DOC) mental health unit; staff working in the Community Home-Based program.

GBHWC positions performing the Tier 1 duties include but are not limited to: Psychiatric Technician, Psychiatric Nurse, Social Worker/Care Coordinator/Technical Assistance Coordinator, Key Family Contact, Guard, Community Program Aide, Psychiatric Social Worker.

Tier 2 – GBHWC employees exposed to a hazardous working environment only while providing direct services (face-to-face) to consumers and not otherwise performing their other coordination and/or administrative duties under reasonably safe conditions:

Job Function/Geographic Location: Direct service staff while conducting home visits, facilitating treatment or wrap meetings with consumers, and/or counseling sessions face-to-face; staff performing housekeeping duties, maintenance repairs, or safety inspections within the inpatient units, residential homes, or Department of Corrections; staff performing registration, billing, or pharmaceutical duties face to face with consumers.

GBHWC positions performing the Tier 2 duties include but are not limited to: Social Worker/Care Coordinator/Technical Assistance Coordinator, Psychiatric Social Worker/Counselor, Key Family Contact, Housekeeper, Maintenance Worker, Safety Officer, Customer Service Representative, Claims Specialist, Pharmacy Technician.

Tier 3 – GBHWC employees not regularly working under hazardous conditions that may be incidentally exposed:

Job Function/Geographic Location: Other GBHWC non-direct service employees who may encounter a hazardous situation while on the job.

GBHWC positions performing the Tier 3 duties include but are not limited to: all other non-direct care position titles within the GBHWC.